

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JAMES HINES,)	
)	
Petitioner,)	
)	
v.)	CAUSE NO. 3:16-CV-822 WL
)	
SUPERINTENDENT,)	
)	
Respondent.)	

OPINION AND ORDER

James Hines, a *pro se* prisoner, filed a habeas corpus petition challenging WCC 16-06-0259, a prison disciplinary proceeding held at the Westville Correctional Facility on June 22, 2016, where a disciplinary hearing officer found him guilty of disorderly conduct in violation of B-236. However, he did not lose any earned credit time or demotion in credit class as a result of this hearing because the sanctions were suspended and have not yet been imposed. (DE 1 at 1.)

A prison disciplinary action can only be challenged in a habeas corpus proceeding where it results in the lengthening of the duration of confinement. *Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003). Here, the suspended sentence was not imposed, and so the disciplinary action has not increased his duration of confinement. Because there was no increase in the length of confinement, Hines cannot receive relief based on this habeas corpus claim. Because there is no relief that he can obtain in this habeas corpus proceeding, the petition will be denied. If in the future this suspended sanction is imposed, then he may file another habeas corpus petition challenging it.

For the reasons set forth above, the court **DENIES** the petition pursuant to SECTION 2254 HABEAS CORPUS RULE 4 and this case is **DISMISSED WITHOUT PREJUDICE**.

ENTERED: December 13, 2016

s/William C. Lee
William C. Lee, Judge
United States District Court